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**Subject:** Weekend Report from R8

## **Weekend Report from R8**

**U&O FIP** -- On November 16th several members of the Ute Indian Business Committee met with OAR (Janet McCabe) and OITA (Jane Nishida), along with Region 8 staff to discuss the Tribe's concerns with EPA's draft proposed U&O FIP and how the draft FIP is not consistent with a Tribal Resolution passed earlier in 2016. The main concerns expressed by the tribe were that EPA's consultation with the Tribe was inadequate in their view, that the FIP needs to allow for streamlined permitting for new and modified oil and gas sources if the area becomes nonattainment, and that the proposed FIP cannot be more stringent than what Utah requires on state lands. The Tribe met with OMB the previous day to express the same concerns.

On December 1<sup>st</sup>, Region 8 staff met with a member of the Business Committee and the Tribe's legal counsel to discuss and respond in more detail to each of the Tribe's principles related to their Resolution concerning the U&O FIP. At the end of the meeting the Tribe's counsel expressed a willingness to request the Business Committee pass a new resolution to support proposal of the draft FIP for existing sources if EPA would commit to participate in a stakeholder working group that would be convened by the Tribe to develop a streamlined regulatory approach for new and modified minor oil and gas sources on the Reservation after the area is designated nonattainment.

**Ex. 5 - Deliberative Process**

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**Wyoming Ozone Transport SIP** – Last week, Wyoming asked for a 90-day or longer extension to the comment period on our proposal to partially disapprove the Wyoming iSIP. The comment period presently closes on December 18, 2016. Final EPA action on this iSIP is required by January 17, 2017, pursuant to the terms of a consent decree. (The January 2017 deadline reflects an extension agreed to by the other party from the initial CD deadline of November 18, 2016.)

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In a related matter, Wyoming filed suit against the Agency on the CSAPR rule, joining Wisconsin, Alabama, Arkansas, and Ohio, asking the D.C. District Court to “hold unlawful and set aside the Rule.”

***Pavillion*** -- On Thursday, December 8, 2016, the Wyoming Department of Environmental Quality and the Wyoming Oil and Gas Conservation Commission will host a public meeting and open house regarding the Pavillion Area Groundwater Investigation. At this meeting DEQ and WOGCC will provide information regarding their final reports into the investigation of pits, well bore integrity and water-supply well palatability. R8 has not been contacted by Wyoming about the meeting, and does not plan to attend.

Shaun L. McGrath

Regional Administrator

EPA Region 8, Denver

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